

EXHIBIT K

1 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2 -----x

3 UNITED STATES OF AMERICA

4 v. S(7) 98 Cr. 1023

5 USAMA BIN LADEN, et al.,

6 Defendants.

7 -----x

8
9 New York, N.Y.
February 6, 2001
10:00 a.m.
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12 Before:

13 HON. LEONARD B. SAND,

14 District Judge

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1 just put them down on the floor. That's fine, too. It's
2 simply whatever you think will be of greatest assistance to
3 you.

4 We're now in the government's case. Government may
5 call its first witness.

6 MR. FITZGERALD: Yes, your Honor. The government
7 calls as its first witness, Jamal Ahmed al-Fadl.

8 THE COURT: All right.

9 JAMAL AHMED AL-FADL,

10 called as a witness by the government,
11 having been duly sworn, testified as follows:

12 DEPUTY CLERK: Please state your full name.

13 THE WITNESS: My name is Jamal Ahmed Mohamed al-Fadl.

14 DIRECT EXAMINATION

15 BY MR. FITZGERALD:

16 Q. Sir, if you could spell your first name and your last name
17 in the English language for the record.

18 A. The first name is J-A-M-A-L. The last name is
19 A-L-F-A-D-L.

20 Q. If you could try to talk as you are doing now into the
21 microphone directly in front of you, if you could also speak
22 slowly, because of your accent, to make sure that everyone
23 understands what you say, and if you could try to pause if you

1 outside from Sudan or you want to remove something, export it
2 to outside.

3 Q. So it was trade in and out of the Sudan?

4 A. Yes.

5 Q. What other companies were established?

6 A. Taba Investment.

7 Q. Can you tell the jury what Taba Investment is, what its
8 business was?

9 A. Taba Investment, when we sell our stuff, we sell it in
10 local money, Sudanese pounds. When we sell the stuff, we
11 change the Sudanese pounds to dollars or sterling.

12 Q. I'm sorry?

13 A. We change the Sudanese pounds to dollars or sterling so
14 the company exchange the money.

15 Q. The word after, you said to dollars or something?

16 A. Sterling pounds.

17 Q. Sterling pounds?

18 A. Yes.

19 Q. And what other companies were established by al Qaeda in
20 Sudan?

21 A. Hijra Construction.

22 Q. And can you tell us what the Hijra Construction Company
23 did?

24 A. That time it built roads and bridge.

25 Q. And was there any particular road or roads that Hijra was

- 1 building at the time in the Sudan when you were there?
- 2 A. They build a road 83 miles between the Damazine, the
- 3 Damazine City and Kormuk City.
- 4 Q. You said it's between Damazine City and a second city?
- 5 A. Kormuk City.
- 6 Q. Do you know who ran the al Hijra Company while it was in
- 7 the Sudan?
- 8 A. At that time, few people. The first one Dr. Sharif al Din
- 9 Ali Mukhtar.
- 10 Q. Who else?
- 11 A. Abu Hassan al Sudani, and Abu Hammam al Saudi, Abu Rida
- 12 Suri, and Abu Hager.
- 13 Q. The person Abu Hager, is that the person whose picture you
- 14 identified about ten minutes ago?
- 15 A. Yes.
- 16 Q. And can you tell the jury what type of things were
- 17 purchased by the al Hijra Construction Company?
- 18 A. Al Hijra construction built roads and bridge.
- 19 Q. Did it buy things from outside the Sudan?
- 20 A. Yes.
- 21 Q. What types of things did al Hijra construction buy?
- 22 A. They buy supplies for the road and bridge and at the same
- 23 time they buy explosive to open the road and bridge.

24 Q. What other companies beside al Hijra do you recall being

25 established by al Qaeda in the Sudan?

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8
9 New York, N.Y.
10 February 7, 2001
11 10:00 a.m.

12 Before:

13 HON. LEONARD B. SAND,

14 District Judge

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1 (Trial resumed)

2 (Robing room conference sealed, filed under separate
3 cover)

4 (Court's Exhibit A was duly marked.)

5 (Jury present)

6 THE COURT: Good morning, ladies and gentlemen. The
7 witness may take the stand.

8 Wednesday, February 14, we will start a little later.

9 We will start at 10:30. I assume you will make arrangements
10 in terms of transportation if you haven't already done that.

11 JAMAL AHMED AL-FADL, resumed.

12 DIRECT EXAMINATION (Continued)

13 BY MR. FITZGERALD:

14 Q Good morning, sir. If you could keep your voice up and
15 try to speak slowly, again, and sit forward in your chair.

16 THE COURT: The court reminds you, you are still
17 under oath.

18 Q Sir, are you familiar with a business by the name of the
19 Khartoum Tannery?

20 A Yes.

21 Q Can you tell us what the Khartoum Tannery is.

22 A It belong to the government of Sudan, and we buy from them
23 and we use it for business.

1 incomprehensible.

2 A I want to tell her the answer and she say it in English.

3 (Through the interpreter) We treat the skins of the

4 cows, and then we export them abroad.

5 Q Did there come a time when the Khartoum Tannery's

6 ownership changed?

7 A Yes.

8 Q Can you tell us when that was, approximately.

9 A I remember end of '93.

10 Q What happened?

11 A We buy it from the government.

12 Q Who is we?

13 A Al Qaeda group.

14 Q How much of the Khartoum Tannery did al Qaeda buy?

15 A We owed money, the Islamic National Front, from the

16 government, from the Sudan government.

17 Q What did the Sudanese government owe al Qaeda money for?

18 A We build the Thaadi Road.

19 MR. FITZGERALD: Can the interpreter translate the

20 word Thaadi from Arabic into English.

21 THE INTERPRETER: The revolutionary road.

22 Q Where did that road go from and to?

23 A From Khartoum City to Atbar City, Shendi City, Hayar City.

24 Q Who built the road?

25 A Hijra Construction Company.

1 Q Is that the construction company you described yesterday?

2 A Yes.

3 Q Why did the Sudanese government give al Qaeda the Khartoum

4 Tannery or a portion of it?

5 A Because they don't have money.

6 Q Was that in exchange, as payment for building the road?

7 A Correct.

8 Q During the time that you were in al Qaeda, was there any

9 discussion of how profitable the businesses were in the Sudan?

10 A Could you repeat the question.

11 Q Was there a discussion within al Qaeda on whether or not

12 the businesses in the Sudan were making money or not?

13 A Yes.

14 Q Can you tell us where those discussions took place.

15 A I remember we got meeting with Abu Rida al Suri, and Abu

16 Abdallah Bin Laden.

17 Q Where was that meeting?

18 A In guesthouse, the big guesthouse.

19 Q Do you recall approximately when that meeting was?

20 A Maybe during '91 -- sorry, '92.

21 Q Can you tell us what was discussed at that meeting about

22 whether the companies were making money?

23 A We talked about Bin Laden and we asked him if we have to

24 make money because the business is very bad in Sudan, because

25 the pounds go down and the dollar is strong. The Sudanese